



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson West.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action that was effective on January 8, 2008. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than July 9, 2008.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department contact no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with the provisions of Section 11346.1 of the Government Code within 180 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before May 26, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322).

This amendment expands the existing quarantine area (approximately 97 square miles) in Los Angeles County by approximately six square miles to the north for a total of approximately 103 square miles. The effect

of the amendment was to implement the authority for the State to regulate movement of hosts and possible carriers of Mediterranean fruit fly within and from this area under quarantine in Los Angeles County to prevent artificial spread of the fly to noninfested areas in order to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3406 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce it. No reimbursement is required under Section 17561 of the Government Code because the Los Angeles County Agricultural Commissioner requested that this area become the area under quarantine; therefore, there are no mandated costs associated with the addition of this area to the regulation.

The Department also has determined that the regulation will involve no costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable costs or savings to local agencies or school districts under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business is not expected to be significantly adverse. A representative person or business could incur costs of approximately \$87 per year in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department amended Section 3406(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3406(b) to implement, interpret and make specific Sections 5301, 5302 and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons is available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3700(c) of the regulations in Title 3 of the California Code of Regulations pertaining to Oak Mortality Disease Control as an emergency action on April 1, 2008. The Department proposes to continue the regulation as amended and submit a Certificate of Compliance for this action to the Office of Administrative Law no later than September 29, 2008.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department contact no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with the provisions of Section 11346.1 of the Government Code within 180 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before May 26, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322).

The proposed emergency amendment of Section 3700(c) will establish *Magnolia denudata* x *salicifolia* (magnolia); *Magnolia kobus* (kobus magnolia); *Magnolia liliiflora* (= *M. quinquepeta*) (purple magnolia); *Magnolia salicifolia* (= *M. proctoriana*) (anise magnolia); and, *Magnolia* x *thompsoniana* (*M. tripetala* and *M. virginiana*) (magnolia) as associated articles under the articles and commodities covered by the regulation.

The effect of the changes to the regulation is to provide authority for the State to regulate movement of these new "associated hosts" from the regulated area to prevent artificial spread of the pest to non-infested areas to protect California's agricultural industry and the environment.

The proposed emergency amendment of Section 3700(c) will also change the nomenclature of the following four existing regulated plant taxa: *Mahonia aquifolium* to *Berberis diversifolia* (Oregon grape); *Michelia doltsopa* to *Magnolia doltsopa* (Michelia); *Michelia wilsonii* to *Magnolia ernestii* (Michelia); and, *Michelia maudiae* to *Magnolia maudiae* (Michelia).

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the amendment of Section 3700(c) does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under regulation has a duty to enforce Section 3700. No reimbursement is required for Section 3700 under Section 17561 of the Government Code because the agricultural commissioners of the affected counties requested the change in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant state-wide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of amending the regulation on a representative private person or business is not expected to be significantly adverse. The agency is not aware of any new cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new businesses or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department amended subsection 3700(c) pursuant to the authority vested by Sections 407, 5321 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended subsection 3700(c) to implement, interpret and make specific Sections 24.5, 5321 and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESSES

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted on its Internet website (www.cdfa.ca.gov/phpps/Regulations.html) the information regarding this proposed regulatory action. Select "Proposed Changes in Regulations for Plant Health and Pest Prevention Services" and then section number(s).

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture proposes to amend Section 3060.3 of the regulations in Title 3 of the California Code of Regulations pertaining to Plants That Are Pests.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before May 26, 2008.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California (Food and Agricultural Code, Section 401). Existing law obligates the Department to prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds (Food and Agricultural Code, Section 403). Existing law defines "Noxious weed" as any species of plant that is, or is liable to be, troublesome, aggressive, intrusive, detrimental, or destructive to agriculture, silviculture, or important native species, and difficult to control or eradicate, which the director, by regulation, designates to be a noxious weed (Food and Agricultural Code, Section 5004). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322). Existing law obligates the Department to provide for periodic inspections of nurseries and that it may prescribe standards of cleanliness for nursery stock which is produced or sold within the state (Food and Agricultural Code, Section 6901).

Title 3 of the California Code of Regulations, Section 4500, designates those weed species that are noxious weed species. Noxious weed species pose a hazard to agriculture and some native plant species in California. Title 3 of the California Code of Regulations, Section

3060.2, establishes the standards of pest cleanliness for nursery stock produced, held, or offered for sale. The Department proposes to amend Section 3060.3 to clearly establish that noxious weeds do not meet the requirements of Section 3060.2 and cannot be produced, held, or offered for sale as nursery stock.

The proposed action does not differ from any existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3060.3 does not impose a new mandate on local agencies or school districts. A county agricultural commissioner already has a duty to enforce Section 3060.2. The Department also has determined that the regulation will involve no costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable costs or savings to local agencies or school districts under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new busi-

ness or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department proposes to amend Section 3060.3 pursuant to the authority vested by Sections 407, 5322 and 6901 of the Food and Agricultural Code of California.

REFERENCE

The Department proposes to amend Section 3060.3 to implement, interpret and make specific Section 6901, Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Elizabeth Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its internet website (www.cdfa.ca.gov/phpps/Regulations.html).

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons is available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture intends to amend Article 8, Section 3963, of the regulations in Title 3 of the California Code of Regulations pertaining to South American Spongeplant Eradication Area.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before May 26, 2008.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests

(Food and Agricultural Code, Sections 401 and 403). Additionally, whenever and wherever a new exotic pest is discovered, the Secretary shall immediately investigate the feasibility of eradication (Food and Agricultural Code Section 5321). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations, as he deems necessary, to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code Section 5322).

The amendment of Section 3963 will establish that Merced County is an eradication area for *Limnobium laevigatum* (South American spongeplant). The effect of this amendment will be to establish the authority for the State to perform eradication activities against South American spongeplant in Merced County. There is no existing, comparable federal regulation or statute.

**COST TO LOCAL AGENCIES
AND SCHOOL DISTRICTS**

The Department of Food and Agriculture has determined that Section 3963 does not impose a mandate on local agencies or school districts. The Department has also determined that the amended regulation will involve no additional costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable savings to local agencies or costs or savings to school districts under Section 17561 of the Government Code and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

**COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS**

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department adopted Section 3963 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department adopted Section 3963 to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov.

In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of amendment by contacting the agency officer (contact) named herein.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

NOTICE OF PROPOSED REGULATORY ACTION

Airport Police Basic Training Requirement, Regulation 1005, 1081

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by May 26, 2008, at 5:00 p.m.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at 916.227.5271 or by letter to the:

Commission on POST
Attention: Rulemaking
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Following the close of the public comment period, the Commission may adopt the proposal substantially as described below or may modify the original proposal with sufficiently related changes. With the exception of technical or grammatical changes, the full text of a modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The Commission will also mail the full text to persons who submit written comments related to the proposal or who have requested notification of any changes to the proposal.

Authority and Reference

This proposal is made pursuant to the authority vested by Penal Code §13503 — POST powers and §13506 — POST authority to adopt regulations. This proposal is intended to interpret, implement, and make specific Penal Code § 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses. This proposal is also intended to interpret, implement, and make specific Penal Code §832.1, which authorizes POST to approve the course of training that an airport peace officer must complete within 90 days after becoming employed as an airport peace officer.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Effective in July 1973, the California legislature enacted Penal Code § 832.1, which mandated completion of a POST-approved airport security training for airport peace officers within 90 days of the officer's appointment. The language also stated that an airport peace officer who does not complete the Aviation Security course within the 90-day time-period shall not continue to have peace officer powers until the officer satisfactorily completes the course.

In response, the Commission approved a 20-hour course curriculum for the Aviation Security course and, in 2001, approved an increase to 40 hours and an updating of the course curriculum. The course curriculum for the Aviation Security course currently appears in Regulation 1081(a); however, POST never established the training mandate for airport peace officers in its regulations.

POST Regulation 1005(a) prescribes minimum entry-level standards of training for California peace officers. Regulation 1005(a)(1) specifies that every peace officer, with certain exceptions, must attend a Regular Basic Course (RBC) before the officer is assigned duties that include the exercise of peace officer powers. Pursuant to California Penal Code § 830.33(d), an airport law enforcement officer is defined as a peace

officer and, consequently, must complete the RBC in addition to the Aviation Security course.

Therefore, POST is proposing to amend Regulation 1005(a) to specify clearly in regulation that airport peace officers must complete two basic training requirements — Aviation Security and the Regular Basic Course (RBC). New language confirms and clarifies that a peace officer who is employed by an airport police department must complete a POST-certified Aviation Security course within 90 days of the date of first appointment in addition to the Regular Basic Course requirement set forth in Regulation 1005(a)(1). Section numbers in the subsequent two sections are changes to keep consistency in the outline format.

As a matter of practice, POST does check for completion of the Regular Basic Course and the Aviation Security course when performing compliance checks of POST program departments that employ airport peace officers. Staff has determined that as a means of clarification for entry-level peace officers assigned to airport security, the required aviation security training should be included in Regulation 1005(a). This amendment was presented and approved at the February 4, 2004, Commission meeting. Adoption of the changes proposed here will formally express and clarify the two entry-level training requirements for airport peace officers within POST regulation 1005(a). This regulation addresses entry-level training standards.

Local Mandate

This proposal does not impose a mandate on local agencies or school districts.

Fiscal Impact Estimates

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with §17500) of the Government Code, Division 4. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

Costs or Savings to State Agencies

POST anticipates no additional costs or savings to state agencies.

Business Impact/Small Businesses

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code §11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

Assessment Regarding Effect on Jobs/Businesses

The Commission has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs and will not result in the elimination of existing businesses or the creation or expansion of businesses in the State of California.

Cost Impacts on Representative Private Persons or Businesses

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

Alternatives

The Commission must determine that no reasonable alternative considered by the agency, or otherwise identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as, and less burdensome to, affected private persons than the proposed action.

Contact Persons

Please direct inquiries or written comments about the proposed regulatory action to the following:

Patricia Cassidy
Commission on POST
1601 Alhambra Boulevard
Sacramento, CA 95816-7083
916.227.4847 or Patricia.Cassidy@post.ca.gov
916.227.5271 (FAX)

or

John Hardester
Commission on POST
1601 Alhambra Boulevard
Sacramento, CA 95816-7083
916.227.3935 or John.Hardester@post.ca.gov

Text of Proposal

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at 1601 Alhambra Boulevard, Sacramento, CA 95816. These documents are also located on the POST website at: <http://www.post.ca.gov/RegulationNotices/RegulationNotices.asp>.

Availability and Location of the Rulemaking File and the Final Statement of Reasons

The rulemaking file contains all information upon which POST is basing this proposal and is available for

public inspection by contacting the person(s) named above.

To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person(s) name above.

TITLE 12. DEPARTMENT OF VETERANS AFFAIRS

NOTICE OF PROPOSED RULEMAKING TITLE 12, CALIFORNIA CODE OF REGULATIONS AMEND SECTION 501 REGARDING VETERANS HOME ADMISSION

NATURE OF PROCEEDING

NOTICE IS HEREBY GIVEN that the California Department of Veterans Affairs (CDVA) is proposing to take the action described in the Informative Digest.

NO PUBLIC HEARING

No public hearing is scheduled for this rulemaking. However, any interested person, or his or her duly authorized representative, may request a public hearing no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

NOTICE IS ALSO GIVEN that any interested person, or his or her duly authorized representative, may submit written comments relevant to the proposed regulatory action to:

The California Department of Veterans Affairs
Office of the Chief Counsel
1227 O Street, Suite 306
Sacramento, California 95814

Comments may also be submitted by facsimile to (916) 653-2454 or by e-mail to robert.wilson@cdva.ca.gov. Comments must be submitted prior to 5:00 p.m. on May 26, 2008.

Following the comment period, the CDVA may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will

be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Sections 64, 72, 700, 1012 and 1044 of the California Military and Veterans Code authorize the CDVA to adopt this proposed regulatory amendment. The proposed amendment implements, interprets, and makes specific section 1044 of the California Military and Veterans Code. The CDVA is considering changes to Division 2 of Title 12 of the California Code of Regulations as follows: Amendment of section 501.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The CDVA operates and maintains a California Veterans Home (with several campuses) that provides long-term care to eligible veterans and their spouses. A portion of the cost of caring for these individuals may be offset by federal, state or private health service plan reimbursements, or medical programs offered by the United States Department of Veterans Affairs. The CDVA estimates that over the past 10 years it has lost an average of \$36,000 per year in potential reimbursements because of care it provided to Home residents that have no health care coverage. In one instance, the CDVA incurred a debt of more than \$150,000 in caring for such an individual.

Under existing law, the California Veterans Board (Board) determines the policies for all operations of the CDVA. Home Administrators, under the policy guidance the Board provides, are permitted to implement regulatory provisions that determine the conditions upon which an applicant may be admitted to, and remain in, a California Veterans Home. In policy statement C-12, the Board has directed the CDVA to develop plans and establish procedures for ensuring that a new veteran applicant for admission to a California Veterans Home be either (1) participating in a United States Department of Veterans Affairs medical program, (2) a federal, state or private health service plan, or (3) have an application for such coverage pending before he or she is granted admission. Board policy statement C-12 also requires a non-veteran spouse to be participating in a federal, state or private health service plan as a condition of admission. This rulemaking action therefore implements the Board's policy directive and clarifies and makes specific one condition upon which an applicant to a California Veterans Home may be admitted and remain in the Home. The policy objective is to recover as

much of the cost of caring for a Home resident as is reasonably possible.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary costs or savings on local agencies. This proposal does not result in any costs or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

The CDVA estimates that it will achieve a significant savings by avoiding the costs of caring for Home residents that have no health care coverage.

BUSINESS IMPACT/SMALL BUSINESSES

Pursuant to section 11346.3, subd. (b) of the California Government Code, the CDVA has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses as defined by section 11342.610. The determination that the proposal would not affect small business is based upon the fact that the proposal applies only to the procedures followed by the CDVA regarding admission to a California Veterans Home. It has no impact at all on any entity that is not a state agency as defined in section 11000 of the California Government Code.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

Pursuant to section 11346.3, subd. (b), of the California Government Code, the CDVA has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

**COST IMPACTS ON REPRESENTATIVE
PERSON OR BUSINESS**

The CDVA estimates that the cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action is \$0 to approximately \$500 per month.

EFFECT ON HOUSING COSTS

None

ALTERNATIVES CONSIDERED

The CDVA must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The CDVA invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period or at a public hearing if one is held.

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comments may be directed to: Chief Counsel Robert Wilson, California Department of Veterans Affairs, 1227 O Street, Suite 306, Sacramento, CA 95814; (916) 654-7022, or

Senior Staff Counsel Denise Lewis, California Department of Veterans Affairs, 1227 O Street, Suite 306, Sacramento, CA 95814; (916) 653-1941.

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

The CDVA has prepared an initial statement of the reasons for the proposed action and has available all of the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the California Department of Veterans Affairs at 1227 O Street, Suite 306, Sacramento, CA 95814. These documents may also be viewed and downloaded from the CDVA website at www.cdva.ca.gov.

**AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS AND
RULEMAKING FILE**

All of the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the persons named above.

You may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact persons named above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After holding the hearing and considering all timely and relevant comments received, the CDVA may adopt the proposed regulation substantially as described in this notice. If the CDVA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the CDVA adopts the regulation as revised. Please send requests for copies of any modified regulations to the attention of Chief Counsel Robert Wilson at the address indicated above. The CDVA will accept comments on the modified regulations for 15 days after the date on which they are made available.

WEBSITE ACCESS

Materials regarding this proposal can be found at www.cdva.ca.gov.

**TITLE 14. BOARD OF FORESTRY
AND FIRE PROTECTION**

**Board of Forestry and Fire Protection (Board)
Title 14 of the California Code of Regulations**

[Notice Published April 11, 2008]

NOTICE OF PROPOSED RULEMAKING

**Watersheds with Threatened or Impaired
Values Extension, 2008**

The proposed changes to the Forest Practice Rules (FPRs) amend sections related to "Protection and Restoration in Watersheds with Threatened or Impaired Values", 14 CCR § 916.11 [936.11, 956.11], and are generally termed Threatened or Impaired rules (T/I

rules). These regulations define planning and operational requirements for timber harvesting and planning watersheds where State or federally listed threatened, endangered or candidate populations of anadromous salmonids are present or where they can be restored. The T/I rules currently expire on date of December 31, 2008. The proposed regulatory amendments, entirely and solely involve changing the expiration date of the regulations to December 31, 2009.

PROPOSED REGULATORY ACTION

The Board proposes to amend the following sections of Title 14 of the California Code of Regulations (14 CCR):

Amend:

§ 895.1	Definitions
§ 898	Feasibility Alternatives
§ 914.8 [934.8, 954.8]	Tractor Road Watercourse Crossing
§ 916 [936, 956]	Intent of Watercourse and Lake Protection
§ 916.2 [932.6, 956.2]	Protection of the beneficial Uses of Water and Riparian Functions
§ 916.9 [936.9, 956.9]	Protection and Restoration in Watersheds with Threatened or Impaired Values
§ 916.11 [936.11, 956.11]	Effectiveness and Implementation Monitoring
§ 916.12 [936.12, 956.12]	Section 303(d) Listed Watersheds
§ 923.3 [943.2, 963.3]	Watercourse Crossings
§ 923.9 [943.9, 963.9]	Roads and Landings in Watersheds with Threatened or Impaired Values

PUBLIC HEARING

The Board will hold a public hearing on starting at 8:00 a.m., on June 4, 2008, at the Resources Building Auditorium, 1st Floor, and 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any in-

formation presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. **The written comment period ends at 5:00 p.m. on Tuesday, May 27, 2008.** The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Public Resources Code (PRC) § 4551 and 4554.5 authorizes the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret or make specific sections 4512, 4513 and 4561 of the Public Resources Code. Reference: Public Resources Code sections 4513, 4551.5, 4561 and 21080.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board recognizes the need to protect anadromous salomid populations listed under the State Endangered Species Act (ESA) and the Federal ESA that may be impacted by forest practices regulated under the Board's preview. In prior years the Board addressed this by adopting changes to the FPRs in 2000 under a previous rulemaking package (Protection for Threatened and Impaired Watersheds {T/I}, 2000, OAL File No. Z00-0118-14). The Board subsequently extended these rules in 2001, 2002, 2003, 2006 and 2007.

The T/I rules were adopted and readopted on a temporary basis in order for the Board to review alternatives to the 2000 adopted T/I regulations. Currently, the T/I rules expire on December 31, 2008. Although advances have been made towards reviewing appropriate long term regulatory needs, the Board has not completed its review of the T/I rules and much remains to be done.

Given the current expiration date of December 31, 2008, the proposed regulation is necessary to address the pending expiration of the regulation. Extension of the T/I rules are also needed for two other related reasons:

The Board, in cooperation with other agencies, is reviewing the entire suite of existing T/I rules. This rule review is expected to be completed by January 2009, and any rule amendments would be proposed during calendar year 2009. The board expects that any amendments to these rules would become effective January 2010.

2) To facilitate the T/I review, the Board has initiated a Technical Literature Review of the T/I rules to determine the necessity and effectiveness of the regulations. The outcome of the literature review could affect the terms and conditions of the T/I rules. The literature review is expected be completed September, 2008.

SPECIFIC PURPOSE OF THE REGULATION

The purpose of the regulation is to extend the existing T/I rules for a period of one year to complete and consider the results of the literature review, input from the public and other factors. Specific changes to the proposed regulations in this Notice, entirely and solely involve changing the expiration date of the regulations to December 31, 2009.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None
- Costs or savings to any State agency: None
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC § 17500: None
- Other non-discretionary cost or savings imposed upon local agencies: None
- Cost or savings in federal funding to the State: None
- The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private persons or businesses: The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: None. The Board has determined that the proposed amendments will not affect small business. The changes proposed under this rulemaking action would extend the effective date of rules until December 31, 2009. There are no other proposed regulatory changes under this proposal. As such, there would be no additional economic relief or burden on any impacted business beyond what is imposed by the existing T/I rules.
- The proposed rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Doug Wickizer, California Department of Forestry and Fire Protection, at the above address and phone.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the Board web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 16. CONTRACTORS STATE LICENSE BOARD

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the Contractors State License Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Contractors State License Board, 9821 Business Park Drive, Sacramento, California 95827, at 10:00 a.m. on May 27, 2008. Written comments must be received by the Board at its office at the above address not later than May 27, 2008 at 5:00 p.m. or at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modification is sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in the Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference Citations

Pursuant to the authority vested by Sections 7008 and 7059 of the Business and Professions (B&P) Code, and to implement, interpret, or make specific Sections 7026.11, 7058, and 7059 of said Code, the Contractors State License Board is considering changes to Division 8 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

Amend Section 832.47 — Class C-47 — General Manufactured Housing Contractor.

Section 7008 authorizes the Board to adopt rules and regulations, in accordance with the Administrative Procedure Act, that are reasonably necessary to carry out the provisions of the chapter of the B&P Code. Section 7026.11 establishes the permissible scope of work for the General Manufactured Housing Contractor (C-47). Section 7058 establishes the specialty contractor license classification and defines “specialty contractor” as “a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.” Section 7059 authorizes the Board to adopt rules and regulations that are reasonably necessary to effect the classification of contractors.

The existing regulation sets forth the scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

This proposal would amend the regulation in order to make the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted Section 7026.11 of the B&P Code, which includes mobilehomes and multi-family manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

Local Mandate

The proposed regulatory action does not impose a mandate on local agencies or school districts.

Fiscal Impact on Public Agencies/STD 399

The proposed regulatory action will not result in costs or savings to any state agency, costs or savings to any local agency or school district that is required to be reimbursed under Part 7 of Division 4 (commencing with Section 17500 of the Government Code), other non-discretionary costs or savings on local agencies, or costs or savings in federal funding to the state.

Cost Impact on Affected Private Persons

The Board is not aware of any cost impacts that a representative private person or business would neces-

sarily incur in reasonable compliance with the proposed action.

Housing Costs

The proposed regulatory action will not have a significant effect on housing costs.

Effect on Small Business

The proposed regulatory action will not affect small businesses, because it simply clarifies the definition of a C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Contact Person

Inquiries or comments concerning the proposed administrative action may be addressed to:

Contractors State License Board
9821 Business Park Drive
Sacramento, CA 95827
Attn: Michael Brown
(916) 255-3939
(916) 255-1395 (FAX)
mbrown@dca.cslb.ca.gov

The backup contact person is:

Betsy Figueira
(916) 255-3369
(916) 255-6335 (FAX)
bfigueira@dca.cslb.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Michael Brown at (916) 255-3939.

Comment Period

Written comments must be received by the Board at the Contractors State License Board, 9821 Business Park Drive, Sacramento, CA 95827 not later than May 27, 2008 at 5:00 p.m. or at the hearing to be held in the Board office at 10:00 a.m. on May 27, 2008.

Availability of Modifications

With the exception of technical or grammatical changes, the full text of any modified proposal will be available from the person designated in this notice as the contact person for 15 days prior to its adoption and will be mailed to those persons who submit written or oral testimony related to this proposed regulatory action or who have requested notification of any changes to the proposal.

Reference to Text and Initial Statement of Reasons

The Board has prepared a statement of the reasons for the proposed action, which is available to the public upon request. The express terms of the proposed action and all information upon which the proposal is based are available upon request.

Business Impact

CSLB is not aware of any significant statewide adverse economic impact that the proposed regulatory action will have directly affecting business, including the ability of California businesses to compete with businesses in other states, because it simply clarifies the definition of a C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Impact on Jobs/New Businesses

The proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or the elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California, because it simply clarifies the definition of a C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Public Hearing

A public hearing will be held at the Contractors State License Board, 9821 Business Park Drive, Sacramento, California 95827, at 10:00 a.m. on May 27, 2008.

Federal Mandate

The proposed regulatory action is not mandated by federal law or is not identical to any previously adopted or amended federal regulation.

Consideration of Alternatives

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would be either more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome on affected private persons than the proposed regulatory action. The actual determination must be part of both the Initial and Final Statement of Reasons.

Availability of the Final Statement of Reasons

Interested parties may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the contact person named above.

Website Access

Materials regarding the proposed regulatory action can be found at www.cslb.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CONSISTENCY DETERMINATION

Fish and Game Code Section 2080.1

CESA No. 2080-2008-001-05

PROJECT: Lake Forest Drive and Bake Parkway Extension Project

LOCATION: City of Irvine, Orange County

NOTIFIER: Tony Bomkamp, Glenn Lukas Associates, on behalf of The Irvine Company

BACKGROUND

The Irvine Company ("TIC") is proposing to construct the Lake Forest Drive and Bake Parkway road segments across San Diego, Needlegrass, and Veeh Creeks (the "Project"). Once completed, the roads will be transferred to the City of Irvine. The surrounding project area includes TIC's Irvine Planning Areas 18 and 39 and a portion of Planning Area 34, which is located to the east of Irvine Center Drive. The proposed roadway segments begin from the current termini of the roads and extend across San Diego, Needlegrass, and Veeh Creeks to connect with the previously-approved segment of Lake Forest Drive in Planning Area 18. The Lake Forest Drive segment will consist of two bridges each with a maximum span of 140 feet. Both bridges will extend northwest across Veeh and Needlegrass Creeks (tributaries to San Diego Creek). The Bake Parkway Segment will extend southwest approximately 875 feet via a 140-foot bridge over San Diego Creek to Lake Forest Drive.

Both road extensions are designed as six-lane arterial highways with landscaped medians and would accommodate travel at up to 60 miles per hour. Lake Forest Drive would transition to a four-lane highway west of its intersection with Bake Parkway. The average clearance from the finished grade to the underside of the bridges will be ten (10) feet for both Lake Forest Drive bridges and sixteen (16) feet for the Bake Parkway Bridge. The bridge structures will have a depth of six (6) feet. Construction activities associated with the project include vegetation removal, shear wall installation (achieved by sheet pile driving or drilled caisson

methods), grading, excavation, roadway surface/asphalt installation, concrete infrastructure, and fencing. The project also includes proposed maintenance of roadways and bridges over the life span of roadway operations. Maintenance activities would include visual inspections, clearing of vegetation, removal of accumulated sediment, maintenance of access roads, trash pick-up, graffiti abatement, replacement/restoration of rip rap, and relocation of the existing Southern California Edison transmission line fee right-of-way parcel to the south side of the Lake Forest Drive Extension.

Project construction activities will result in direct impacts to 4.85 acres of riparian habitat, temporary impacts to 0.77 acres of riparian habitat, short-term impacts from construction-related noise from heavy equipment activity, and long-term noise impacts to extant riparian habitat from vehicle use of roadways during the Project. The riparian habitat within and surrounding the Project has been identified as suitable habitat, and is occupied by, least Bell's vireo (*Vireo bellii pusillus*, "vireo"), which is listed as endangered pursuant to both the federal Endangered Species Act ("ESA") (16 U.S.C. § 1531 *et seq.*) and the California Endangered Species Act ("CESA"). (Fish and Game Code § 2050 *et seq.*)

The United States Fish and Wildlife Service ("Service") determined that implementation of the Project would result in incidental take of the species, including injury or mortality resulting from the permanent removal of fifty percent of the breeding territory of one pair of vireo, partial loss or disruption of breeding habitat of four other pairs of vireo, and increased potential for vehicle strikes. Additionally, vireo in the Project vicinity will be indirectly impacted by Project-caused decreases in functional and mature habitat for a period of five years, increased fragmentation of habitat in the Project vicinity, increased energy spent on competing for and finding new territories, and impaired nesting activities and breeding success caused by increased noise levels during construction and operation of the roadways.

Because the Project has the potential to take a species listed under ESA, the U.S. Army Corps of Engineers ("Corps") consulted with the Service under Section 7 of the ESA, and on December 28, 2007, the Service issued a Biological Opinion (FWS-OR-07B0013-08F0215) ("BO"), which describes the Project, including conservation measures developed to minimize impacts to the vireo, and sets forth measures to mitigate any remaining impacts to the vireo or vireo habitat. On January 2, 2008, the Director of the Department of Fish and Game ("Department") received correspondence from Glenn Lukos Associates, on behalf of TIC, requesting a

determination pursuant to section 2080.1 of the Fish and Game Code that the BO, including its incidental take statement ("ITS"), is consistent with CESA. Subsequent to TIC's initial request, on January 11, 2008, the Service issued an amendment to the BO (FWS-OR-07B0013-08F0252), which corrected a number of inaccuracies in the project description and conservation measures. A second amendment (FWS-OR-07B0013-08F0301) was issued on January 30, 2008, to correct minor changes to the total acres of temporary and permanent impacts to vireo habitat. The Department has incorporated the measures in the amendments to the BO into its evaluation of TIC's request.

DETERMINATION

The Department has determined that the BO as amended on January 11, 2008, and January 30, 2008, including its ITS, is consistent with CESA, because the mitigation measures therein meet the conditions set forth in Fish and Game Code section 2081, subparagraphs (b) and (c), for authorizing the incidental take of CESA-listed species. Specifically, the Department finds that take of vireo will be incidental to an otherwise lawful activity (*i.e.*, construction and operation of the roadways), the mitigation measures identified in the BO and required by the ITS will minimize and fully mitigate the impacts of the authorized take of vireo, and the Project will not jeopardize the continued existence of the species. The mitigation measures in the BO as amended include, but are not limited to, the following:

1. Nest Avoidance: To the extent feasible, TIC will conduct clearing and grubbing activities outside of the vireo nesting season of March 15th to September 15th. When construction activities will occur during the nesting season, a biologist, approved by Department and Service, shall perform focused surveys at least weekly, and shall establish a buffer around identified vireo nests within which TIC shall not conduct construction activities. The buffer shall be at least 250 feet unless the biologist, in consultation with the Department and Service, determines that a modification of the buffer is appropriate and will not disrupt nesting behavior or otherwise increase impacts to vireo beyond what is authorized in the BO. Weekly surveys and enforcement of buffers are required until the young have fledged and no further signs of nesting are observed. This condition applies to any proposed vegetation removal related to future maintenance of the proposed roadways and bridges.

2. Construction monitoring: TIC shall ensure that the approved biological monitor identified above is present during all vegetation clearing activities from March 15th to September 15th to ensure compliance with conservation measures and to perform required surveys, oversee fence installation and inspection, and perform worker-awareness training. The biologist will submit weekly survey reports to the Department identifying locations of occupied vireo nests 500 feet upstream and downstream of project area.
3. Noise minimization: TIC shall not perform pile driving activities during the vireo breeding season. Drilled caisson may be used during the breeding season. Additionally, TIC shall erect a temporary construction sound barrier prior to March 15, 2008 between the construction area and the adjacent riparian habitat to help attenuate adverse noise effects on nesting vireo.
4. Habitat Compensation: TIC shall mitigate Project-related impacts to vireo and the riparian habitat upon which they depend through a combination of acquisition, restoration, and creation of riparian habitat adjacent to and nearby the Project site which the Department and the Service have determined to be important to vireo. To meet this obligation, TIC will:
 - Permanently protect 3.8 acres of riparian habitat in Needlegrass and Veeh Creeks (in the vicinity of an existing 26.58 acres of protected southern willow scrub riparian habitat around and adjacent to the Project site identified as Natural River Management Areas 4 and 5) by recording a conservation easement or deed restriction on the habitat in favor of the Department or a Department-approved third party.
 - Restore and enhance the 30.38 acres identified above (26.58 acres plus 3.8 acres) by removing invasive non-native vegetation from 4.04 acres within San Diego Creek and by planting/restoring 0.09 acres within Needlegrass Creek in accordance with the Habitat Monitoring and Maintenance Plan ("HMMP") described below.
 - Create 2.61 acres of suitable vireo habitat north of Rattlesnake Reservoir which will be protected and managed in perpetuity in accordance with the Central Coastal Natural Community Conservation Plan.
5. Habitat Monitoring and Maintenance Plan: Within 60 days of issuance of the 404 permit for the Project, TIC will submit for Department, Service, and Corps approval a 5-year HMMP for the 2.61 acre vireo habitat creation and restoration at Rattlesnake Reservoir and the initial restoration and enhancement activities (including non-native vegetation removal) on the 30.38 acres within San Diego, Veeh, and Needlegrass Creeks. The HMMP shall include at a minimum: a map and description of areas to be restored, grading, planting, and irrigation plans, an implementation schedule, specific quantitative performance criteria for evaluating the progress of restoration efforts, and remediation/contingency measures. TIC shall ensure funding for the performance of the activities described in the HMMP by providing to the Department, prior to the initiation of Project activities, an irrevocable letter of credit as described below.
6. Long-Term Management Plan: TIC shall provide for in-perpetuity management of the 30.38 acres of San Diego, Veeh, and Needlegrass Creeks (after the 5 year period covered by the HMMP) by preparing, funding, and implementing a Long-Term Management Plan ("LTMP") that will maintain the habitat specifically to support and benefit vireo. TIC shall submit a draft LTMP to the Department, Service, and Corps for approval within 180 days of initiating Project activities. Within 1 year from initiating Project activities, if security is provided as described below, TIC shall establish a permanent non-wasting endowment in the amount of \$300,000.00 to carry out the activities identified in the LTMP in perpetuity.
7. Ensured Funding: Prior to the initiation of Project activities, TIC will provide an irrevocable letter of credit, in a form approved by the Department and Service, to ensure funding for the performance of all required mitigation, including site preparation, re-vegetation, restoration, and enhancement activities, maintenance activities (e.g., mulching, weeding, and watering), monitoring and reporting activities, and long-term management. The letter of credit shall name the Department and Service as co-beneficiaries and shall be in the amount of \$765,100.00, consisting of \$465,100.00 for implementation of the HMMP, and \$300,000.00 to secure establishment of the LTMP endowment.

Based on this consistency determination, TIC does not need to obtain authorization from the Department

under CESA for take of vireo that occurs in carrying out the Project, provided TIC implements the Project as described in the BO, as amended (including the Conservation Measures), and complies with the mitigation measures and other conditions described in the BO and ITS, including the amendments. However, if the Project as described in the BO as amended, including the mitigation measures therein, changes, or if the Service amends or replaces the BO, TIC will need to obtain from the Department a new consistency determination (in accordance with Fish and Game Code section 2080.1) or an incidental take permit (in accordance with Fish and Game Code section 2081).

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice
For Publication April 11, 2008
PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES
Monitoring California Least Tern Nesting Colonies

The Department of Fish and Game ("Department") received a proposal on May 24, 2007, from Ms. Julie Stout, San Diego, requesting authorization to take California Least Terns (*Sterna antillarum browni*), Fully Protected Birds, for research purposes, consistent with the protection and recovery of these species.

The applicant is in the process of obtaining the required Scientific Collecting Permits (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from DFG for research on Fully Protected species. The proposed activities include approaching Least Tern nesting areas to gather necessary data used in monitoring nesting status, habitat suitability and habitat assessments, and identifying threats from humans and predators. Data would be collected by observation and monitoring with binoculars/spotting scopes in or near potential and known breeding habitat and locating nests on foot. DFG intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities. As these birds are also federally-listed endangered species, applicants are required to possess a valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the require-

ments of FGC Section 3511 for take of Fully Protected Birds, it would issue the authorization on or after May 11, 2008, for a term of two years. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Dale Steele.

FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations
(Continuation of California Notice Register 2008, No. 8-Z, and Meetings of February 8 and March 7, 2008.)

NOTE: The Fish and Game Commission is exercising its powers under Section 202 of the Fish and Game Code as the following changes to the proposed regulations may not be available to the public for the full public comment period prior to adoption. See the text of this notice—changes are shown in **bold** type.)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 240, 315 and 316.5 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215, and 316.5 of said Code, proposes to amend subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, relating to Klamath River Sport Fishing.

UPDATED INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Klamath River System, which consists of the Klamath River and Trinity River basins, is managed through a cooperative system of State, Federal, and Tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River System sport

fisheries which are consistent with federal fishery management goals.

Two Tribal entities within the Klamath River System, the Hoopa Valley Tribe and the Yurok Tribe, maintain fishing rights for subsistence fishing and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the Hoopa and Yurok Tribes.

Klamath River Fall–Run Chinook

Klamath River fall–run Chinook (KRFC) salmon harvest allocations and spawning escapement goals are established by the PPMC. The KRFC salmon harvest allocation between tribal and non–tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

The annual KRFC river sport salmon quota is recommended by the PPMC and the 2008 PPMC allocation is currently unknown. All proposed closures for adult Chinook salmon are designed to maximize and equitably distribute harvest of adult KRFC salmon while operating within the annual quota.

Klamath River Spring–Run Chinook

The Klamath River System also supports Klamath River spring–run Chinook salmon (KRSC). Presently, KRSC salmon are managed under the general basin seasons, daily bag limits, and possession limit regulations and are not under PPMC allocation management.

KRFC Salmon Quota Management

The 2007 quota for the Klamath River System river sport harvest was 10,600 adult KRFC salmon. Preseason stock projections of 2008 adult KRFC abundance will not be available from the PPMC until March 2008 and the 2008 basin quota will be recommended by the PPMC and adopted by the Commission at their April 2008 meeting.

For public notice requirements, the Department recommends the Commission consider a range of 0 – 30,000 adult KRFC salmon quota in the Klamath River basin for the river sport fishery. The Commission may modify the KRFC river sport salmon quota which is normally 15% of the non–tribal PPMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the PPMC Salmon Fishery Management Plan otherwise harvest opportunities may be reduced in the California ocean fisheries.

The annual KRFC salmon quota is split evenly, with 50% of the quota allocated to the lower Klamath River downstream of the Highway 96 Bridge at Weitchpec and 50% to the remainder of the upper Klamath River System upstream of the Highway 96 Bridge at Weitchpec and the Trinity River Basin. This division ensures equitable harvest of adult KRFC salmon throughout the Klamath River System.

The Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth), is proposed to close to all fishing after 15% of the Klamath River System quota has been taken downstream of the Highway 101 bridge. This provision only applies if the Department projects that the total Klamath River System quota will be met.

The upper Klamath River System is further divided into three sub–quota areas:

1. 17% from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec,
2. 16.5% for the Trinity River downstream from Hawkins Bar to the confluence with the Klamath River, and
3. 16.5% for the Trinity River downstream from Old Lewiston Bridge to Cedar Flat.

These sub–quota areas are based upon historical angler effort distribution and ensure equitable harvest of adult KRFC salmon in the upper Klamath River and Trinity River.

Current Sport Fishery Management

The KRFC salmon annual quota is divided into sub areas and the harvest conducted under real–time quota management. The KRSC salmon harvest is managed under the general basin seasons without real–time monitoring due to lack of adequate funds.

The Department presently differentiates the two stocks by following dates with minor sub–area differences to providing equitable harvest opportunities:

1. December 1 through August 15 — General Season (KRSC).
2. August 15 to November 30 — KRFC quota management.

The daily bag limits and weekly possession limits apply to both stocks within the same sub–area and time period.

Proposed Changes

The Department is proposing the following changes to current regulations:

Open Season and Bag Limits

The Department proposes combining all of the open season and bag limit language into the regulations table contained in (b)(91.1)(E) to have these important regulations found in one location to reduce public confusion and improve angler compliance.

General Area Closures

The general area closures ending dates are proposed to extend until December 31 to provide additional protection to KRFC salmon still in the system.

KRFC Season, Bag Limit, and Possession Limit

For public notice requirements, a range of KRFC bag and possession limits are proposed until the 2008 basin quota is adopted. As in previous years, no retention of

adult KRFC salmon is proposed for the following areas, once the sub quota has been met.

The opening date for the Klamath and Trinity rivers are proposed to be the same for all sub-areas within each river. The Trinity River will open two weeks after the Klamath River to allow for adequate migration time from the ocean. The ending date is proposed to extend until December 31.

The proposed open seasons and range of bag limits for KRFC salmon stocks are as follows:

1. Klamath River — August 15 to December 31
2. Trinity River — September 1 to December 31
3. Bag Limit — [0–4] Chinook salmon — only [0–3] fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length.

The weekly possession limit is proposed as a range of 0 to 6 Chinook salmon over 22 inches total length may be retained in any 7 consecutive days when the take of salmon over 22 inches total length is allowed. The annual possession limit of no more than 12 Chinook salmon is proposed to be dropped as this measure was not adequately enforceable.

KRSC Season, Bag Limit, and Possession Limit

The wild KRSC salmon are primarily limited to two sub-basins of the Klamath River watershed, the Salm-on River and the South Fork of the Trinity River (SFTR). The populations of wild spring-run Chinook salmon in these watersheds appear to be at all time lows.

The Department is proposing more restrictive measures to protect wild KRSC salmon outside of the KRFC quota period.

The proposed open seasons for KRSC salmon stocks are as follows:

1. Klamath River — January 1 to August 14
2. Trinity River — January 1 to August 31
 - a. Except for Trinity River main stem downstream from 250 feet below Lewiston Dam to the Old Lewiston bridge — April 1 to August 31

This section of river is designated as wild trout waters.

3. No Chinook salmon may be retained in the following areas:
 - a. Klamath River downstream from Iron Gate Dam to Weitchpec — January 1 to August 14
 - b. Trinity River downstream from the South Fork Trinity River mouth to the confluence with the Klamath River — January 1 to August 31

These closures provide protection for naturally produced KRSC while allowing sport harvest opportunities on the hatchery component of the KRSC salmon run in the lower Klamath River.

The bag and possession limits are proposed as a range from 0 to 2 Chinook salmon of any size and the weekly and annual possession limits are proposed to be dropped to provide additional conservation measures.

South Fork Trinity River Season Change

The Department proposes to change the opening dates for angling on the SFTR and Hayfork Creek from the fourth Saturday in May to November 1. Current regulations allow angling in both of these areas from the fourth Saturday in May through March 31. During this period anglers may take hatchery trout/steelhead and brown trout on the SFTR. There is no take of trout on Hayfork Creek. There is no take of Chinook salmon allowed in either system.

The Department recommends that angling on the SFTR downstream of the Hyampom Bridge to its confluence with the Trinity River and Hayfork Creek from the Highway 3 Bridge downstream to its confluence with the SFTR should be open from November 1 through March 31.

Trinity River Trout Bag and Possession Limits

For public notice requirements, the Department proposes increasing the daily bag limit range from 1 to 5 hatchery trout or steelhead and increasing the possession limit range from 1 to 10 hatchery trout or steelhead on the main stem Trinity River downstream from the Old Lewiston Bridge to the confluence with the Klamath River. This will increase angling opportunity to the general public on Trinity River Hatchery stocks and reduce straying of excess hatchery stocks into natural spawning areas.

Brown Trout Bag Limit Change

Based upon public input and Department data that shows no brown trout distribution outside of the Trinity River, the brown trout bag and possession limits will only apply to the main stem of the Trinity River to reduce public confusion and mistaken identification and take of other salmonids of special concern in areas where the brown trout are not found.

Additional minor changes were made to the regulations for clarity.

On March 14, 2008, the PFMC developed three 2008 season options for public review that allowed a range of harvest quotas from 27,100 to 27,400 for the Klamath River Sport Fishery. The Initial Statement of Reasons was amended to increase the upper bound of harvest quota and provide an increased bag and weekly possession limits for additional harvest opportunities. The final PFMC regulation recommendations will be made on April 11, 2008 in Seattle, Washington.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at UC Davis,

Bodega Bay Marine Laboratory, Lecture Hall, 2099 Westside Road, Bodega Bay, California, on Friday, April 11, 2008 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS FURTHER GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **Department of Education, 1430 N Street, Sacramento, California, on Friday, June 27, 2008**, at 10:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before June 20, 2008 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on June 25, 2008. All comments must be received no later than June 27, 2008 at the hearing in Sacramento, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to John Carlson, Jr., or Sherrie Koell at the preceding address or phone number. **Neil Manji, Chief, Fisheries Branch, Department of Fish and Game, phone (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.**

Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations pre-

scribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected to have an unknown impact on the net revenues to businesses in the Klamath River area servicing sport fishermen. The preservation of Klamath River salmon stocks is necessary for the success of lower and upper Klamath River Basin businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:
The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.

(h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

**NOTICE TO INTERESTED PARTIES
April 11, 2008**

**ANNOUNCEMENT OF DRAFT REPORT,
PUBLIC WORKSHOP, AND PUBLIC
COMMENT PERIOD**

**HEALTH ADVISORY AND SAFE EATING
GUIDELINES FOR FISH AND SHELLFISH
FROM THE SACRAMENTO RIVER AND
NORTHERN DELTA (SOLANO,
SACRAMENTO, YOLO, SUTTER, COLUSA,
YUBA, GLENN, BUTTE, TEHAMA, AND
SHASTA COUNTIES)**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) announces the availability of the draft report entitled "Health Advisory and Safe Eating Guidelines for Fish and Shellfish from the Sacramento River and Northern Delta." The report contains an evaluation of studies of mercury levels in fish from these rivers, creeks, and sloughs, and provides safe eating guidelines for these water bodies. OEHHA is soliciting comments from interested parties on the draft report and safe eating guidelines during a 45-day public comment period.

OEHHA will also hold a public workshop and training on the safe eating guidelines for the Sacramento River and Northern Delta on April 16, 2008, at 10:30 a.m., at the Samuel Pannell Meadowview Community Center, 2450 Meadowview Road (Meeting rooms A&B), Sacramento. Comments may be submitted at any time until the close of the comment period.

Comments on the draft report may be submitted by phone, fax, or e-mail to Dr. Margy Gassel. All comments must be received by 5:00 p.m. on May 27, 2008. OEHHA will consider comments received by this time and revise the draft report and safe eating guidelines as appropriate to issue a final report.

OEHHA is making the draft document available at the OEHHA Web site at <http://www.oehha.ca.gov>. A copy of the report is also available by calling (510) 622-3170.

If you would like to submit comments, receive further information on this announcement, or have questions, please contact Dr. Margy Gassel using the information provided below.

Dr. Margy Gassel
California Environmental Protection Agency
Office of Environmental Health Hazard Assessment
Pesticide and Environmental Toxicology Branch
1515 Clay Street 16th Floor
Oakland, California 94612
Phone: (510) 622-3166
Fax: (916) 622-3218
e-mail: mgassel@oehha.ca.gov

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

**CHEMICAL UNDER CONSIDERATION FOR
POSSIBLE LISTING VIA THE
AUTHORITATIVE BODIES MECHANISM:
REQUEST FOR RELEVANT INFORMATION
April 11, 2008**

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65 or the Act) which is codified at Health and Safety Code section 25249.5 et seq., re-

quires the Governor to publish, and update at least annually, a list of chemicals known to the State to cause cancer or reproductive toxicity. The Act describes the mechanisms for administratively listing chemicals as known to the State to cause cancer or reproductive toxicity (Health and Safety Code section 25249.8.).

One mechanism by which a chemical is listed is if a body considered to be authoritative by the state's qualified experts has formally identified it as causing cancer or reproductive toxicity. For carcinogenicity, the U.S. Environmental Protection Agency (U.S. EPA), the International Agency for Research on Cancer (IARC), the National Toxicology Program (NTP), the U.S. Food and Drug Administration (FDA), and the National Institute for Occupational Safety and Health (NIOSH) have been identified as authoritative bodies for purposes of the Act. The criteria for listing chemicals through the "authoritative bodies" mechanism are set forth in Title 22, California Code of Regulations, section 12306¹.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency, is investigating the possible listing of the chemical, *oryzalin*, based upon information in the reference cited below. Documentation summarizing the rationale for considering the evaluation of this chemical for possible administrative listing is available from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the Internet at the following address: <http://www.oehha.ca.gov/prop65.html>.

OEHHA is committed to public participation and external scientific peer review in its implementation of Proposition 65, and welcomes public input on this listing process. As part of its efforts to ensure that regulatory decisions are based upon a thorough consideration of all relevant information, OEHHA is soliciting information concerning whether the criteria set out in Section 12306 have been met for *oryzalin*.

A public forum to present oral comments and to discuss the scientific data and other information concerning whether *oryzalin* meets the criteria for listing set forth in Section 12306 will be scheduled only upon request. Such request must be submitted in writing no later than 30 days before the close of the comment period on **Tuesday, June 10, 2008**. The written request must be received by OEHHA at the address listed below no later than *Friday, May 9, 2008*. A notice for the public forum, if one is requested, will be posted on the OEHHA web site at least ten days in advance of the forum date. The notice will provide the date, time, location and subject matter to be heard. Notices will also be sent to those individuals requesting such notification. Written comments provided in **triplicate**, along with supporting information, should be submitted to:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010, MS-19B
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900
Or via email addressed to coshita@oehha.ca.gov

Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation be transmitted via email addressed to: coshita@oehha.ca.gov. In order to be considered, comments must be received at OEHHA by 5:00 p.m. on Tuesday, June 10, 2008.

Following the review of all comments received, OEHHA will announce its intention to proceed with the listing of the candidate chemical if it meets the regulatory criteria for administrative listing in a *Notice of Intent to List Chemicals*.

Chemical which may meet the criteria set forth in Section 12306 for listing as known to cause **cancer** via the "authoritative bodies" mechanism:

Chemical	CASNo.	Chemical Use	U.S. EPA Classification	Reference
Oryzalin	19044-88-3	Herbicide used on almonds, grapes, fruit trees, pistachios, pomegranates; in gardening and landscape maintenance, and in rights-of-way.	Likely to be carcinogenic to humans	U.S. EP (2003)

REFERENCES

U.S. Environmental Protection Agency (U.S. EPA,

2003). *Cancer Assessment Document. Third Evaluation of the Carcinogenic Potential of Oryzalin*. Cancer Assessment Review Committee. Health Effects Division. Office of Pesticide Programs. June 25, 2003.

¹ All further citations are to Title 22 of the California Code of Regulations unless otherwise indicated.

DECISION NOT TO PROCEED

BOARD OF BARBERING AND COSMETOLOGY

NOTICE OF DECISION NOT TO PROCEED WITH RULEMAKING ACTION

The Board of Barbering and Cosmetology has decided not to proceed with its rulemaking action described in the Notice published in the California Regulatory Notice Register on March 21, 2008, OAL File # Z-2008-0307-02, concerning Title 16, Section 950.1.

DATED: 3/27/08 /s/
KRISTY UNDERWOOD
 Executive Officer
 Board of Barbering and
 Cosmetology

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2008-0219-06
AIR RESOURCES BOARD
 Oceangoing Incineration

This change without regulatory effect reflects the updated version of Chart 18740, San Diego to Santa Rosa Island, which is incorporated by reference into section 93119(c)(9), for purposes of showing the location of the Three Nautical Mile Line on the National Oceanic and Atmospheric Administration (NOAA) Nautical Chart authored by the NOAA Office of Coast Survey. The revised nautical chart reflects several changes, such as, relocated buoys and changed jetty lights, but there is no change to the Three Nautical Mile Line.

Title 17
 California Code of Regulations
 AMEND: 93119
 Filed 04/02/2008
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2008-0222-07
**BOARD FOR GEOLOGISTS AND
GEOPHYSICISTS**
 Code of Professional Conduct — Geology & Geophysics

This rulemaking amends the current code of professional conduct to specify the requirements for compliance with applicable laws and the circumstances in which a geologist or geophysicist has violated professional standards.

Title 16
 California Code of Regulations
 AMEND: 3065
 Filed 03/26/2008
 Effective 04/25/2008
 Agency Contact: Patty Smith (916) 263-2233

File# 2008-0319-01
BOARD OF PAROLE HEARINGS
 Review of Recommendation to Discharge from Parole After Days

This regulatory action specifies criteria for parole board review of recommendations from the Division of Adult Parole Operations (DAPO) for discharge from parole at 180 days. CDCR established an assessment process to create recommendations for early discharge of non-serious, non-violent, low risk offenders. This readoption continues in place the procedures to consider those recommendations.

Title 15
 California Code of Regulations
 ADOPT: 2536.1
 Filed 03/27/2008
 Effective 03/27/2008
 Agency Contact:
 Devaney Sullivan (916) 322-6815

File# 2008-0227-03
BOARD OF PSYCHOLOGY
 California Law and Ethics Examination

These regulatory amendments implement a new test available to licensed psychologists in other states. Incoming psychologists will no longer be required to take the entire license exam, only an examination limited to the psychology laws and ethics in California, depending on how long the psychologist has practiced in another jurisdiction.

Title 16
California Code of Regulations
AMEND: 1381.5, 1388, 1388.6, 1392
Filed 04/01/2008
Effective 04/01/2008
Agency Contact: Jeffrey Thomas (916) 263-1617

File# 2008-0229-02
CITIZENS FINANCIAL ACCOUNTABILITY
OVERSIGHT COMMITTEE
Conflict of Interest Code

This is a Conflict of Interest Code adoption that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
California Code of Regulations
ADOPT: 59630
Filed 03/28/2008
Effective 04/27/2008
Agency Contact: John Dickerson (916) 445-3028

File# 2008-0215-02
DEPARTMENT OF FOOD AND AGRICULTURE
Interstate Movement of Poultry

In this regulatory action, the Department of Food and Agriculture adopts new regulations on the subject of the "Interstate Movement of Poultry," which principally set forth the requirements for importing poultry into California to prevent and control the spread of poultry diseases. The regulatory action also includes the repeal of a number of obsolete regulations relating to poultry.

Title 3
California Code of Regulations
ADOPT: 821, 821.1, 821.2, 821.3, 821.4, 821.5 REPEAL: 784, 784.1, 784.2, 800, 800.1, 801, 802
Filed 04/01/2008
Effective 05/01/2008
Agency Contact: Thami Rodgers (916) 698-3276

File# 2008-0211-02
DEPARTMENT OF FOOD AND AGRICULTURE
Light Brown Apple Moth Interior Quarantine

This is the Certificate of Compliance for the prior emergency file 07-0813-01 E dealing with the Light Brown Apple Moth (*Epiphyas postvittana*) Interior Quarantine. The agency is hereby certifying that it has complied with the provisions of Government Code sections 11346.2 through 11346.9 prior to, or within 120 days of the effective date of the regulations listed.

Title 3
California Code of Regulations
AMEND: 3434(b)
Filed 03/26/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0324-01
DEPARTMENT OF FOOD AND AGRICULTURE
Diaprepes Root Weevil Interior Quarantine

This emergency regulatory action will expand the existing quarantine area in the Rancho Santa Fe area of San Diego County by approximately two square miles for the Diaprepes root weevil (*Diaprepes abbreviatus*).

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 04/02/2008
Effective 04/02/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0321-02
DEPARTMENT OF FOOD AND AGRICULTURE
Diaprepes Root Weevil Interior Quarantine

This is the Certificate of Compliance for six emergency rulemakings (OAL file numbers: 07-1220-02 E; 07-1212-02 E; 07-1121-04 E; 07-1119-02 E; 07-1026-05 E and 07-1002-03 E) with respect to the interior quarantine of the Diaprepes Root Weevil (DRW). The emergency rulemakings concern various parts of San Diego and Los Angeles counties.

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 04/02/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0219-03
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Joe Serna Jr. Farmworker Housing Grant Program

This regulatory action makes extensive changes to completely update the regulations for this program in order to implement the revisions made by five legislative actions since 2000. This action includes a reorganization of subchapter 3 of chapter 7, division 1, title 25 into four new articles.

Title 25
California Code of Regulations
ADOPT: 7201, 7205, 7205.1, 7205.2, 7205.3, 7206, 7207, 7209, 7211, 7215, 7225, 7231 AMEND: 7200, 7202, 7204, 7206 (renumbered to 7209.5), 7208, 7210, 7212, 7218 (renumbered to 7217), 7220, 7222, 7224, 7226, 7228, 7230, 7232, 7234, 7239 (renumbered to 7201) REPEAL: 7214, 7216

Filed 04/02/2008
 Effective 05/02/2008
 Agency Contact: Lenora Frazier (916) 323-4475

File# 2008-0311-05
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
 Income Limits

The California Department of Housing and Community Development is adding and repealing the Income Limits contained within section 6932, title 25, California Code of Regulations. These limits are exempt from review by the Office of Administrative Law pursuant to Health and Safety Code section 50093.

Title 25
 California Code of Regulations
 AMEND: 6932
 Filed 04/01/2008
 Effective 03/11/2008
 Agency Contact: Lenora Frazier (916) 323-4475

File# 2008-0229-03
FISH AND GAME COMMISSION
 Ecological Reserves

This regulatory package makes regulations more specific regarding prohibitions on firearms, littering, pets and grazing. It also corrects alphabetical errors, grammatical and spelling errors. Finally, it removes two ecological reserve areas and adds seven areas. It provides special area regulations to allow or limit specific activities, including restrictions on entry to the ecological reserves.

Title 14
 California Code of Regulations
 AMEND: 630
 Filed 03/26/2008
 Effective 04/25/2008
 Agency Contact: Sherrie Koell (916) 654-9866

File# 2008-0321-05
MANAGED RISK MEDICAL INSURANCE BOARD

Community Provider Plan Designation Timeline

This emergency regulatory action would eliminate the requirement that MRMIB calculate the family value package and announce the designation of the community provider plan for each county by March 31st of each year

Title 10
 California Code of Regulations
 AMEND: 2699.6500, 2699.6805, 2699.6803
 Filed 03/27/2008
 Effective 03/27/2008
 Agency Contact: JoAnne French (916) 327-7978

File# 2008-0222-06
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
 Revisions of Elevator Safety Orders

This rulemaking action amends elevator safety orders by amending Groups I, II, and III regulations to update them and to make clarifying and nonsubstantive amendments. This rulemaking also adds new Group IV regulations for post-May 1, 2008 installations. New Group IV regulations incorporate by reference ASME, ASCE, and ANSI/BHMA standards for the installation, alteration, maintenance, repair, replacement, inspection, and testing of newly installed elevators and other conveyances.

Title 8
 California Code of Regulations
 ADOPT: 3140, 3141, 3141.1, 3141.2, 3141.3, 3141.4, 3141.5, 3141.6, 3141.7, 3141.8, 3141.9, 3141.10, 3141.11, 3141.12, 3141.13, 3142, 3142.1, 3142.2, 3143, 3144, 3145, 3146 AMEND: 3000, 3001, 3009, 3094.2, 3120.6, 3137
 Filed 04/01/2008
 Effective 05/01/2008
 Agency Contact: Marley Hart (916) 274-5721

File# 2008-0222-05
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
 Specific Regulatory Levels Posing No Significant Risk-Nitromethane

This action adds exposure to nitromethane at up to 39 micrograms per day to the list of exposures to chemicals deemed to pose no significant risk of cancer within the meaning of Health and Safety Code section 25249.10, subdivision (c).

Title 22
 California Code of Regulations
 AMEND: 12705(b)
 Filed 03/27/2008
 Effective 04/26/2008
 Agency Contact: Susan Luong (916) 327-3015

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN OCTOBER 31, 2007 TO
April 2, 2008**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

02/25/08 ADOPT: 48, 50, 52 AMEND: 55
01/29/08 AMEND: 1, 6, 90, and Appendix A (Std. Form 400)

Title 2

03/28/08 ADOPT: 59630
03/24/08 AMEND: 18735
03/19/08 AMEND: 55300
03/19/08 AMEND: 549.90
03/19/08 AMEND: 18200
03/03/08 AMEND: 1859.76, 1859.83, 1859.104.3
02/25/08 AMEND: 549.80
02/25/08 AMEND: 714
01/07/08 AMEND: 1859.2, 1859.43, 1859.50, 1859.51, 1859.81, 1859.106
01/07/08 AMEND: 18531.61
01/03/08 ADOPT: 547.69, 547.70, 547.71
AMEND: 547.69 renumbered as 547.72, 547.70 renumbered as 547.74, 547.71 renumbered as 547.73
12/26/07 AMEND: div. 8, ch. 54, sec. 54300
12/19/07 ADOPT: 18413
12/18/07 ADOPT: 1859.324.1, 1859.330
AMEND: 1859.302, 1859.318, 1859.320, 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.326, 1859.328, 1859.329
12/17/07 AMEND: 58700
12/17/07 AMEND: 18351
12/13/07 ADOPT: 18531.2
12/13/07 AMEND: 18530.4
12/13/07 AMEND: 18421.2
12/06/07 AMEND: 649, 649.1 (Renumbered to 649.15), 649.1.1 (Renumbered to 649.16), 649.2 (Renumbered to 649.12), 649.3 (Renumbered to 649.24), 649.7 (Renumbered to 649.35), 649.8 (Renumbered to 649.36), 649.9 (Renumbered to 649.7), 649.10

(Renumbered to 649.22), 649.11
(Renumbered to 649.8), 649.12
(Renumbered to 649.9), 649.13
(Renumbered to 649.23), 649.14
(Renumbered to 649.27), 649.15
(Renumbered to 649.11), 649.16
(Renumbered to 649.30), 649.17
(Renumbered to 649.31), 649.18
(Renumbered to 649.26), 649.20, 649.21, 649.22 (Renumbered to 649.10), 649.71
(Renumbered to 649.25), 649.72
(Renumbered to 649.4), 650.1
(Renumbered to 649.6), 651.1
(Renumbered to 649.1), 651.2
(Renumbered to 649.14), 651.3
(Renumbered to 649.13), 651.4
(Renumbered to 649.34), 651.5
(Renumbered to 649.5), 652.1
(Renumbered to 649.39), 652.2
(Renumbered to 649.40), 653.1
(Renumbered to 649.42), 653.2
(Renumbered to 649.2), 653.3
(Renumbered to 649.41), 653.4
(Renumbered to 649.37), 653.5
(Renumbered to 649.38), 653.6
(Renumbered to 649.61), 654.1
(Renumbered to 649.3), 654.2
(Renumbered to 649.43), 654.3
(Renumbered to 649.46), 654.4
(Renumbered to 649.44), 654.5
(Renumbered to 649.45), 654.6
(Renumbered to 649.47), 655.1
(Renumbered to 649.51), 656.1
(Renumbered to 649.52), 656.2
(Renumbered to 649.54), 656.3
(Renumbered to 649.55), 656.4
(Renumbered to 649.53), 656.5
(Renumbered to 649.56), 656.6
(Renumbered to 649.50), 656.7
(Renumbered to 649.58), 656.8
(Renumbered to 649.57), 657.1
(Renumbered to 649.59), 657.2
(Renumbered to 649.60), 657.3
(Renumbered to 649.62)

10/31/07 ADOPT: 18200

Title 3

04/02/08 AMEND: 3433(b)

04/01/08 ADOPT: 821, 821.1, 821.2, 821.3, 821.4, 821.5 REPEAL: 784, 784.1, 784.2, 800, 800.1, 801, 802

03/26/08 AMEND: 3434(b)

03/21/08 AMEND: 3434(b)

03/19/08 AMEND: 6620

03/17/08 AMEND: 3434(b)

03/17/08 AMEND: 3406(b)

03/17/08 AMEND: 3700(c)

03/13/08 AMEND: 6860

03/12/08 AMEND: 3434(b)

03/12/08 AMEND: 3406(b)

03/05/08 AMEND: 3875

03/04/08 AMEND: 3867

03/03/08 AMEND: 3591.20

02/22/08 AMEND: 3434(b)

02/21/08 AMEND: 6393

02/11/08 AMEND: 3434(b)

02/08/08 AMEND: 3591.20

02/04/08 AMEND: 3434(b)

01/29/08 AMEND: 3700(c)

01/28/08 AMEND: 3433(b)

01/28/08 AMEND: 4500

01/25/08 ADOPT: 6445, 6445.5, 6448, 6448.1, 6449, 6449.1, 6450, 6450.1, 6450.2, 6451, 6451.1, 6452, 6452.1, 6452.2, 6452.3(a), 6452.3(b), 6452.3(c), 6452.3(d), 6452.3(e), 6452.3(f), 6452.4, 6536(a), 6536(b)(1-3), 6536(b)(4) AMEND: 6000, 6400, 6450, 6450.1, 6450.2, 6450.3, 6452, 6453, 6502, 6624, 6626, 6784

01/24/08 AMEND: 1391, 1391.1

01/22/08 AMEND: 3591.6

01/22/08 AMEND: 3591.6

01/22/08 AMEND: 3591.2(a)

01/22/08 AMEND: 3591.5(a)

01/18/08 AMEND: 3423(b)

01/18/08 ADOPT: 3152

01/11/08 AMEND: 3406(b)

01/10/08 AMEND: 3433(b)

01/07/08 AMEND: 1180.3.1

12/26/07 AMEND: 3433(b)

12/26/07 AMEND: 3963

12/21/07 AMEND: 3434(b)

12/20/07 ADOPT: 606

12/19/07 AMEND: 3700(c)

12/19/07 AMEND: 3433(b)

12/10/07 AMEND: 3406(b)

12/06/07 AMEND: 3589

12/03/07 AMEND: 3434(b)

11/29/07 AMEND: 3434(b)

11/29/07 AMEND: 3591.2

11/27/07 AMEND: 3406(b)

11/27/07 AMEND: 3433(b)

11/21/07 AMEND: 3433(b)

11/16/07 AMEND: 3417(b)

11/15/07 AMEND: 3434

11/14/07 AMEND: 3589

11/14/07 AMEND: 3591.20

11/09/07 AMEND: 3434(b)

11/06/07 AMEND: 3406(b)

11/01/07 AMEND: 1380.19, 1437.12

Title 4

03/24/08 AMEND: 10177, 10178, 10181, 10182, 10187, 10188, 10189

02/29/08 ADOPT: 8102, 8102.1, 8102.2, 8102.3, 8102.4, 8102.5, 8102.6, 8102.7, 8102.8, 8102.9, 8102.10, 8102.11, 8102.12, 8102.13, 8102.14, 8102.15 AMEND: 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101

01/22/08 AMEND: 8070, 8072, 8073

01/10/08 AMEND: 1632

12/26/07 AMEND: 12002, 12122, 12202, 12203.2, 12222

11/21/07 ADOPT: 12347

11/09/07 AMEND: 1371

Title 5

03/03/08 ADOPT: 9510.5, 9512, 9513, 9514, 9525 AMEND: 9510, 9511, 9515, 9516, 9517, 9518, 9519, 9521, 9522, 9523, 9524, 9527, 9528, 9529, 9530 REPEAL: 9517.1, 9520

02/28/08 ADOPT: 11969.10, 11969.11 AMEND: 11969.1, 11969.2, 11969.3, 11969.4, 11969.6, 11969.7, 11969.8, 11969.9

02/25/08 AMEND: 41301

02/22/08 AMEND: 3051.16, 3065

12/20/07 ADOPT: 1202 AMEND: 1200, 1204, 1204.5, 1205, 1207, 1207.1, 1207.2, 1207.5, 1209, 1210, 1211, 1211.5, 1215, 1215.5, 1216, 1217, 1218, 1219, 1225

11/19/07 ADOPT: 11981.3, 11984.5, 11984.6, 11985, 11985.5, 11985.6 AMEND: 11981 (renumber to 11980), 11982 (renumber to 11981), 11985 (renumber to 11981.5), 11980 (renumber to 11982), 11986 (renumber to 11982.5), 11983, 11983.5, 11984

11/05/07 ADOPT: 18134

Title 8

04/01/08 ADOPT: 3140, 3141, 3141.1, 3141.2, 3141.3, 3141.4, 3141.5, 3141.6, 3141.7, 3141.8, 3141.9, 3141.10, 3141.11,

3141.12, 3141.13, 3142, 3142.1, 3142.2,
3143, 3144, 3145, 3146 AMEND: 3000,
3001, 3009, 3094.2, 3120.6, 3137
03/05/08 AMEND: 1504, 1597
03/05/08 AMEND: 3228
02/29/08 AMEND: 3270
12/31/07 AMEND: 3650
12/28/07 AMEND: 1604.24
12/11/07 ADOPT: 9767.16, 9813.1, 9813.2
AMEND: 9767.1, 9810, 9811, 9812,
9813
12/10/07 ADOPT: 13800
12/04/07 AMEND: 3214, Figure E-1 of 3231,
Plate B-17
11/29/07 ADOPT: 33485 AMEND: 32135, 32166,
32500, 32630, 32700, 32781, 32784,
32786, 33480, 61020, 61450, 61470,
61480, 81020, 81450, 81470, 81480,
91020, 91450, 91470, 91480
11/26/07 ADOPT: 392.4 AMEND: 347, 350.1,
355, 359, 359.1, 371.2, 374, 385, 392.5
11/05/07 AMEND: 4324
10/31/07 AMEND: 1704

Title 9

03/06/08 AMEND: 10025, 10057, 10515, 10518,
10524, 10545, 10550, 10606, 11014,
11017, 11024, 13070
02/28/08 ADOPT: 7024.9, 7025.4, 7136.4, 7136.5,
7136.6, 7136.7, 7136.8, 7136.9, 7137,
7138, 7179.4, 7179.5 REPEAL: 7136.5
02/13/08 ADOPT: 3100, 3200.010, 3200.020,
3200.030, 3200.040, 3200.050,
3200.060, 3200.070, 3200.080,
3200.090, 3200.100, 3200.110,
3200.120, 3200.130, 3200.140,
3200.150, 3200.160, 3200.170,
3200.180, 3200.190, 3200.210,
3200.220, 3200.225, 3200.230,
3200.240, 3200.250, 3200.260,
3200.270, 3200.280, 3200.300,
3200.310, 3300, 3310, 3315, 3320, 3350,
3360, 3400, 3410, 3500, 3505, 3510,
3520, 3530, 3530.10, 3530.20, 3530.30,
3530.40, 3540, 3610, 3615, 3620,
3620.05, 3620.10, 3630, 3640, 3650
REPEAL: 3100, 3200.000, 3200.010,
3200.020, 3200.030, 3200.040,
3200.050, 3200.060, 3200.070,
3200.080, 3200.090, 3200.100,
3200.110, 3200.120, 3200.130,
3200.140, 3200.150, 3200.160, 3310,
3400, 3405, 3410, 3415
12/10/07 AMEND: 13035

12/06/07 AMEND: 9100

Title 10

03/27/08 AMEND: 2699.6500, 2699.6805,
2699.6803
03/20/08 AMEND: 1950.314.8
03/18/08 AMEND: 2498.6
03/12/08 ADOPT: 2699.402 AMEND: 2699.100,
2699.205, 2699.6600, 2699.6607,
2699.6608, 2699.6613, 2699.6625,
2699.6629, 2699.6813
03/06/08 AMEND: 260.241, 260.241.2 REPEAL:
260.218.5, 260.241.1
02/22/08 ADOPT: 2695.20, 2695.21, 2695.22,
2695.23, 2695.24, 2695.25, 2695.26,
2695.27, 2695.28
02/14/08 ADOPT: 2790.8, 2790.9
02/11/08 AMEND: 5101
01/14/08 ADOPT: 2844 AMEND: 2840, 2842
01/08/08 ADOPT: 2240.5 AMEND: 2240, 2240.1,
2240.2, 2240.3, 2240.4
12/27/07 ADOPT: 1436, 1950.314.8
12/19/07 AMEND: 2698.82(b), 2698.84, 2698.87,
2698.89.1
11/30/07 AMEND: 2699.6611
11/30/07 ADOPT: 2699.6603, 2699.6604
AMEND: 2699.6603 (renumbered to
2699.6602), 2699.6605, 2699.6607,
2699.6608, 2699.6611, 2699.6625
11/15/07 AMEND: 2498.6
11/07/07 AMEND: 1409, 1422, 1423
11/02/07 AMEND: 2498.6
10/31/07 AMEND: 2318.6, 2353.1

Title 11

02/29/08 AMEND: 1009, 1070, 1071, 1082, 1083
01/16/08 REPEAL: 1305
12/19/07 ADOPT: 2021
12/11/07 AMEND: 300
12/10/07 AMEND: 1005, 1007, 1008

Title 13

03/07/08 AMEND: 345.02, 345.06, 345.21,
345.22
03/04/08 AMEND: 2485
02/08/08 AMEND: 621, 691, 693, 699
02/01/08 ADOPT: 1300, 1400, 1401, 1402, 1403,
1404, 1405 REPEAL: 1300, 1301, 1302,
1303, 1304, 1304.1, 1305, 1310, 1311,
1312, 1313, 1314, 1315, 1320, 1321,
1322, 1323, 1324, 1325, 1330, 1331,
1332, 1333, 1334, 1335, 1336, 1337,
1338, 1339, 1339.1, 1339.2, 1339.3,
1339.4, 1339.5, 1339.6, 1340, 1341,
1342, 1343, 1344, 1350, 1351, 1352,
1353, 1354, 1355, 1356, 1360, 1361,
1362, 1363, 1364, 1365, 1366, 1370,

1371, 1372, 1373, 1374, 1375, 1400,
1401, 1402, 1403, 1404, 1405, 1406,
1410, 1411, 1412, 1413, 1414, 1415,
1416, 1417, 1418, 1420, 1421, 1422,
1423, 1424, 1425 and Article 15 text.
12/10/07 AMEND: 553.70
12/05/07 ADOPT: 2166, 2166.1, 2167, 2168,
2169, 2170, 2171, 2172, 2172.1, 2172.2,
2172.3, 2172.4, 2172.5, 2172.6, 2172.7,
2172.8, 2172.9, 2173, 2174 AMEND:
1956.8, 1958, 1961, 1976, 1978, 2111,
2122, 2136, 2141, Incorporated Test
Procedures
11/09/07 AMEND: 1968.2, 1968.5, 2035, 2037,
2038
11/08/07 AMEND: 423.00

Title 14
03/26/08 AMEND: 630
03/14/08 ADOPT: 13255.1 AMEND: 13055,
13111, 13169, 13255.0, 13255.1,
13255.2, 13576
03/14/08 ADOPT: 5.79, 5.88, 29.16, 29.91
AMEND: 1.74, 5.80, 5.81, 5.87, 27.90,
27.91, 27.92, 29.15, 29.90, 701
03/13/08 AMEND: 671
03/10/08 ADOPT: 18218, 18218.1, 18218.2,
18218.3, 18218.4, 18218.5, 18218.6,
18218.7, 18218.8, 18218.9
02/28/08 AMEND: 17211.1, 17211.4, 17211.7,
17211.9
02/28/08 ADOPT: 749.3
02/19/08 AMEND: 7.50
02/13/08 ADOPT: 704
02/11/08 ADOPT: 787.0, 787.1, 787.2, 787.3,
787.4, 787.5, 787.6, 787.7, 787.8, 787.9
01/29/08 ADOPT: 25202, 25203, 25204, 25205,
25206, 25207, 25208, 25209, 25210,
25211
01/28/08 ADOPT: 17987, 17987.1, 17987.2,
17987.3, 17987.4, 17987.5
01/17/08 AMEND: 890
01/10/08 AMEND: 1670
01/08/08 AMEND: 251.3
01/04/08 ADOPT: 11970 AMEND: 11900
12/28/07 AMEND: 1280
12/27/07 AMEND: 2.25, 2.30, 5.75, 5.86, 5.93,
5.95, 6.37, 7.50, 8.00, 670.5
12/26/07 ADOPT: 2990, 2995, 2997 AMEND:
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02/08/08	ADOPT: 3939.30	01/10/08	AMEND: 1300.67.60
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